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OCT 18 2007

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JAY S. WALKER, JOSE A. SUAREZ, SCOTT T. CASE,
MICHIKO KOBAYASHI and ANDREW P. GOLDEN

Application 09/605,818

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was returned to the Board of Patent Appeals and Interferences (BPAI) on July 31, 2007 following an Order Returning Undocked Appeal from the BPAI (mailed October 24, 2006). A second review of the application indicates that it is still not ready to be docketed into the BPAI for the reason(s) that follow:

In response to the Order from the BPAI the Examiner issued a Supplemental Examiner's Answer (mailed November 28, 2006). Subsequently, in response to the Examiner's Supplemental Answer, Appellants filed a Petition and a "Supplemental Reply Brief" on December 18, 2006.

Although the record shows that the Petition has been decided, there is no indication on the record that the Examiner has considered and/or acknowledged receipt of the Supplemental Reply Brief. Additionally, the document does not seem to have been entered into the United States Patent and Trademark Office (USPTO) Patent Application Location Monitoring (PALM) system.

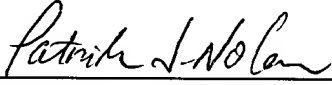
Application 09/605,818

Accordingly, it is

ORDERED that the application is being returned to the Examiner:

- 1) to properly consider and/or acknowledge receipt and entry of the "Supplemental Reply Brief" filed by Appellants on December 18, 2006,
- 2) to have the "Supplemental Reply Brief" entered into the USPTO PALM system, and
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

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